



## PHYSICIAN HIV/AIDS REPORTING LAW

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### Article – Health – General§ 18-201.1.

- (a) A physician who has diagnosed a patient under the physician's care with human immunodeficiency virus or acquired immunodeficiency syndrome according to the current definition published in the morbidity and mortality weekly report by the Centers for Disease Control and Prevention of the Department of Health and Human Services shall submit immediately a report to the health officer for the county where the physician cares for that patient.
- (b) The report shall:
  - (1) Be on the form that the Secretary provides;
  - (2) Identify the disease;
  - (3) State the name, age, race, sex, and residence address of the patient; and
  - (4) Be signed by the physician.
- (c)
  - (1) A physician shall submit a report as described in subsection (b) of this section to the Secretary within 48 hours of the birth of an infant whose mother has tested positive for the human immunodeficiency virus.
  - (2) If a newborn infant does not become HIV positive after 18 months from the date that the report required in paragraph (1) of this subsection was submitted, the Secretary shall have the newborn infant's name removed from the HIV registry.
- (d)
  - (1) All physician reports required under this section are:
    - (i) Confidential and subject to Title 4, Subtitle 1 of this article; and
    - (ii) Not medical records under Title 4, Subtitle 3 of this article, but are subject to the confidentiality requirements of Title 4, Subtitle 1 of this article.
  - (2) The reports and any proceedings, records, or files relating to the reports required under this section are not discoverable and are not admissible in evidence in any civil action.
  - (3) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties pursuant to State or federal law where the Secretary determines the agency to whom the information is disclosed will maintain the confidentiality of the disclosure.